



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

US Patent Appln. No. : **10/643,319**

**Confirmation No. 3826**

Inventors : **Michael D. Ruff et al.**

Filed : **August 19, 2003**

Art Unit : **1615**

Examiner: : **Retford Berko**

Docket No. : **019031-000010**

Customer No. : **24239**

Title : **COATED DIBASIC CALCIUM PHOSPHATE**

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the US Postal Service as first class mail on November 10, 2005, in an envelope addressed to Commissioner of Patents, PO Box 1450, Alexandria, VA 22313-1450

Katrina Holland

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**STATEMENT RE SUBSTANCE OF OCTOBER 28, 2005 TELEPHONIC INTERVIEW**

Sir:

This is in connection with the request by Examiner Berko in his November 4, 2005 Office Action (Restriction Requirement reciting Groups I – V) to provide the above-captioned Statement within 1 month of the interview date, namely by **November 28, 2005**.

During the October 28, 2005 telephonic interview, the below undersigned attorney discussed with Examiner Berko that his October 6, 2005 Office Action (Restriction Requirement reciting Groups I – IV)) failed to mention claims 16 - 28.

The undersigned attorney and Examiner Berko agreed that he would issue a fresh Office Action (Restriction Requirement) that would re-start the time for responding, and reciting claims 16 – 28 as Group V.

Examiner Berko has now forwarded the fresh Office Action, namely the November 4, 2005 Office Action (Restriction Requirement reciting Groups I – V) which re-starts the time for responding.

Examiner Berko is thanked for taking the time to attend to this matter.



US Patent Appln. No. 10/643,319  
November 10, 2005 Statement

## DEPOSIT ACCOUNT

Although it is believed that no fee is due, the Commissioner is authorized to charge any deficiencies of payment associated with this communication, or to credit any overpayment, to **Deposit Account No. 13-4365.**

Respectfully submitted,

Date: November 10, 2005

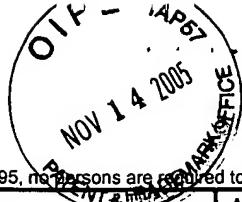
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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number <b>10/643,319</b> Filing Date <b>August 19, 2003</b> First Named Inventor <b>Michael D. Ruff</b> Art Unit <b>1615</b> Examiner Name <b>Retford Berko</b>	Total Number of Pages in This Submission <b>3</b>	Attorney Docket Number <b>019031-000010</b>
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### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached  <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Documents  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group ( <i>Appeal Notice, Brief, Reply Brief</i> ) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Statement Re Substance of October 28, 2005 Telephonic Interview; and Acknowledgement Postcard</b>
Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	<b>MOORE &amp; VAN ALLEN</b>		
Signature			
Printed Name	<b>JENNIFER L. SKORD</b>		
Date	<b>November 10, 2005</b>	Reg. No.	<b>30,687</b>

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name	<b>Katrina Holland</b>	Date	<b>November 10, 2005</b>

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.